

CUSTOMER NO. 46900

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Attorney Docket No. A2550.0113/P113 A

In re application of: Martin Laurence Green and Lalita Manchanda

Serial No.: 10/718,536

Group Art Unit: 2813

Filed: 11/24/2003

Examiner: Schillinger, Laura M.

Matter No.: 992.1208

Phone No.: 571-272-1697

For: High K Dielectric Material and Method of Making a High K Dielectric Material

RESPONSE UNDER 37 CFR 1.111

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Response is filed in response to the office action of 02/08/07.

REMARKS/ARGUMENTS

Claims 13-16, 19, 21, and 27-29 are pending in the application. The Applicant hereby requests further examination and reconsideration of the application in view of the foregoing amendments and these remarks.

On paragraph 2, the Examiner rejected claims 13-19 and 21 under 35 U.S.C. § 102(b) as being anticipated by Budd.

First of all, since claims 17 and 18 were canceled in one of the previous responses, the Applicants submit that the rejections of those claims over Budd in this office action are improper.

Secondly, although it appears that, on pages 3 and 4 of the office action, the Examiner is trying to explain her rejections of claims 27-29 over Budd, it is not stated and is not clear under what section of 35 U.S.C. those claims are being rejected. Accordingly, the Applicants respectfully request an explanation and clarification of those rejections.

For the following reasons, the Applicants submit that all claims are allowable over Budd.

Claim 13 is directed to a method of fabricating a dielectric material having the step of incorporating a Group V element in a Group III metal oxide. The dielectric material is deposited in an **atmosphere** comprising a mixture of oxygen and nitrogen **having** an oxygen-to-nitrogen **ratio** ranging from about 24:6 to about 18:12.

Budd discloses a method of making electroluminescent phosphor particles coated with a layer of metal oxynitride to reduce sensitivity to humidity-accelerated decay (col. 2, lines 29-37). Since the phosphor particles are being made for use in flat panel displays, cathode ray tubes, and/or fluorescent lighting fixtures (col. 1, lines 18-28), it is essential that the oxynitride coating be transparent to the visible